IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3162 OF 2004

Mohd.Ayub Alimuddin Shaikh .. Applicant.
Vs.
State of Maharashtra .. Respondent.

Ms.Nilofar Sayyed for the applicant.
Mr.R.Y.Mirza APP for the respondent.

CORAM : D.B.BHOSALE, J.

DATED : 9TH AUGUST, 2004

P.C.:

. Heard Ms.Sayyed, learned counsel for the applicant and Mr.Mirza, learned A.P.P. for the respondent.

2. This application is filed by the applicant for being enlarged on bail in C.R.No.180/2002 registered at Bhoiwada police station under sections 392, 397 read with 34 of Indian Penal Code and sections 3, 25 and 27 of Arms Act. The applicant and three others are alleged to have committed robbery on 17.7.2002. They allegedly robed a cash of Rs.24,25,676/- of the Central Bank of India which was being carried by its employees from their extension counter at M.T.N.L. Building, Dadar to their Head Office at Dadar T.T. Circle.

While committing the alleged offence the complainant and his colleagues were assaulted by the accused persons. The applicant has been identified in the test identification parade by one of the witness, as one of the accused in the crime. It is also clear from the record that the applicant is involved in seven criminal cases of similar nature. I have perused the order passed by the Sessions Court by which the application of the present applicant has been rejected and also memorandum of test identification parade. Keeping that all in view, in my opinion, this is not a fit case to enlarge the applicant on bail. The application is rejected.

. While passing this order, I shall not be understood to have expressed any opinion on merits of the case. The trial court will deal with the case uninfluenced by the observations made in this order.

(D.B.Bhosale, J.)